REMARKS

The above amendments and following remarks are submitted in response to the Official Action of the Examiner mailed July 1, 2005 and a subsequent Official Action of the Examiner mailed August 11, 2005. Because these two Official Actions appear to be the same except for the final signature, Applicants deem that this single response is sufficient for both. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance. Entry of this amendment and reconsideration to that end is respectfully requested.

The Examiner has rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,169,992, issued to Beall et al. (hereinafter referred to as "Beall") in view of U.S. Patent No. 6,285,998, issued to Black et al. (hereinafter referred to as "Black"). This ground of rejection is respectfully traversed as to the amended claims for failure of the Examiner to present a *prima facie* case of obviousness as specified by MPEP 2143 for the reasons stated below.

The Examiner and Applicants have had adequate opportunity to present arguments concerning their views of the key elements of Applicants' invention and the disclosure of Beall. Therefore, Applicants' will not herein repeat positions which have been previously argued at length. Instead, Applicants will focus on

the Examiner's new ground of rejection under 35 U.S.C. 103(a) in view of Black.

To establish a *prima facie* case of obviousness, MPEP 2143 burdens the Examiner with three showings: 1) motivation to make the alleged combination; 2) reasonable likelihood of success of the alleged combination; and 3) all claimed elements within the alleged combination. The Examiner has made none of these three showings.

With regard to motivation, it appears that the Examiner has made the following single statement:

> It would have been obvious to one having ordinary skill in the art to at (sic) the time of the invention was made (sic) to store queries for future use as taught by Black. The motivation would have been to easily modify queries and reuse them at a future time.

This does not make much sense in the knowledge-based system of Beall in which the queries are not really defined by the user.

With regard to the required showing of reasonable likelihood of success, the Examiner completely ignores her obligation. Furthermore, she could not make this showing because the systems of Beall and Black are incompatible.

Claim 1, as amended, requires that the claimed "discreet and independent steps" are stored for future use individually. This structure and its functionality are intrinsic in Applicants' invention in that the components of the claimed "service" built in accordance with the invention is not transitory, as are the

queries of Beall. See Fig. 25 and accompanying discussion in the specification, for example. The individual steps of the service built by Applicants' invention are saved for individual future use and are further available for "editing" as has already been claimed to produce yet additional unique "services". As previously explained, there is no showing that Beall has any "service" as claimed. Furthermore, there can be no suggest of apparatus and methods of saving such a "service" for future use. In addition, the alleged queries of Black are single, indivisible entities. There is no showing that these alleged queries have the claimed discreet and individual steps.

In addition, Black specifically teaches the desirability of storing the queries in the client computer. The individual steps of Applicants' invention as claimed are stored in the data base which permits multiple users to benefit from the storage of the "discreet and individual steps" of a service. This conclusion is directly supported by the Examiner's citations in Black. As amended, claim 1 requires structure for saving the "discreet and individual steps of the service" which the alleged combination of Beall and Black does not. Therefore, the rejection of amended claim 1, and all claims depending therefrom, is respectfully traversed.

Claim 6 has been similarly amended to require storage of the individual steps of the service. As explained above, the alleged

combination of Beall and Black does not have this structure. Therefore, the rejection of amended claim 6, and all claims depending therefrom is respectfully traversed.

Claim 11 is an independent method claim. To the original three steps, a fourth step has been added. It requires "storing said service as a plurality of said discreet and independent steps within said data base for future individual use". This process step is simply not found within the alleged combination of Beall and Black. Therefore, the rejection of amended claim 11, and all claims depending therefrom, is respectfully traversed.

Claim 16 is an independent apparatus claim having "means-plus-function" limitations. To the previous three elements, the above amendment adds the further limitation of a "storing means". This element is not found in the alleged combination of Beall and Black. Therefore, the rejection of amended claim 16, and all claims depending therefrom, is respectfully traversed.

Claims 2, 7, and 18 depend from claims 1, 6, and 17, respectively, and further limit the "publicly accessible digital data communication network". The alleged combination of Beall and Black does not meet the limitations of claims 1, 6, and 17 from which claims 2, 7, and 18 depend. Therefore, the alleged combination of Beall and Black cannot meet the further

limitations of these dependent claims. Thus, the rejection of claims 2, 7, and 18 is respectfully traversed.

Claims 3, 9, 13-14, and 20 depend from claims 2, 8, 12, and 19 respectively, and further limit the "user terminal". The alleged combination of Beall and Black does not meet the limitations of claims 2, 8, 12, and 19 from which claims 3, 9, 13-14, and 20 depend. Therefore, the alleged combination of Beall and Black cannot meet the further limitations of these dependent claims. Thus, the rejection of claims 3, 9, 13-14, and 20 is respectfully traversed.

Claims 4, 8, and 17 depend from claims 3, 7, and 16, respectively, and further limit the "data wizard". The alleged combination of Beall and Black does not meet the limitations of claims 3, 7, and 16 from which claims 4, 8, and 17 depend. Therefore, the alleged combination of Beall and Black cannot meet the further limitations of these dependent claims. Thus, the rejection of claims 2, 7, and 17 is respectfully traversed.

Claims 5, 10, 15, and 19 depend from claims 4, 9, 14, and 18 respectively, and further limit the "data base management system". The alleged combination of Beall and Black does not meet the limitations of claims 4, 9, 14, and 18 from which claims 5, 10, 15, and 19 depend. Therefore, the alleged combination of Beall and Black cannot meet the further limitations of these

dependent claims. Thus, the rejection of claims 5, 10, 15, and 19 is respectfully traversed.

Claim 12 depends from claim 11 and is further limited by the "editing" step. The alleged combination of Beall and Black does not meet the limitations of claim 11 from which claim 12 depends. Therefore, the alleged combination of Beall and Black cannot meet the further limitations of this dependent claim. Thus, the rejection of claim 12 is respectfully traversed.
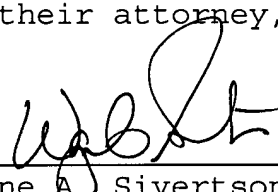
Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, being the only pending claims.

Respectfully submitted,

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By their attorney,

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